

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
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DATE FILED: 9/14/2020

1979 FAMILY TRUST LICENSOR, LLC
and ROCKEFELLER & CO. LLC,

- X

Plaintiffs, :
: 19-CV-4389 (VEC)

-against- : ORDER

MEHAL J. DARJI aka MEHAL
ROCKEFELLER and ROCKEFELLER
MANAGEMENT CO.,

Defendants.

-x

VALERIE CAPRONI, United States District Judge:

WHEREAS on July 21, 2020, Plaintiffs 1979 Family Trust Licensor, LLC and Rockefeller & Co. LLC filed a motion seeking entry of an order finding Defendants Mehal J. Darji aka Mehal Rockefeller and Rockefeller Management Co. in contempt for violating the Court's Default Judgment, entered in this case on August 19, 2019 (Dkts. 22, 24);

WHEREAS the Court has considered the facts and legal arguments set forth in Plaintiffs Motion, including the accompanying memorandum of law and the declaration of James D. Weinberger, Esq. and the exhibits attached thereto and found that Defendants willfully, knowingly, and intentionally violated the terms of the Default Judgment, including by engaging in the Recent Infringing Activities (as defined in the Motion);

WHEREAS the relief requested in the Motion is necessary and proper to compensate Plaintiffs for the continuing violations of the Default Judgment and to coerce Defendants to comply with the Default Judgment in the future;

WHEREAS Defendants were ordered to show cause why Plaintiffs' proposed order ought not be entered (Dkt. 29);

WHEREAS Plaintiffs filed an affidavit of service reflecting timely service of the Order to Show Cause on Defendants (Dkt. 30);

WHEREAS Defendants failed to respond to the Order;

IT IS HEREBY ORDERED THAT:

1. The relief requested in the Motion is granted as set forth herein.
2. Within seven (7) days from the date of this Order, Plaintiffs shall submit to the Court an accounting of their attorneys' fees and costs incurred in connection with preparing and filing of the Motion.
3. Within thirty (30) days of the Court's order approving the Plaintiffs' submission in Paragraph 2 above, Defendants shall pay to Plaintiffs a sum equal to Plaintiffs' attorneys' fees and costs associated with preparing and filing of the Motion, or such sum as modified and approved by the Court.
4. Starting thirty (30) days after the date of this Order, if Defendants have not ceased engaging in the Recent Infringing Activities and attained compliance with the Default Judgment, Defendants shall pay a fine to the Clerk of the Court in the amount of \$1,000 per day until Defendants have fully ceased engaging in the Recent Infringing Activities and attained compliance with the Default Judgment.
5. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
6. This Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

The Clerk of Court is respectfully directed to terminate the open motion at docket entry 24.

SO ORDERED.

Date: September 14, 2020
New York, NY



VALERIE CAPRONI
United States District Judge